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Agencies to regulate price promotions for food & other goods

Federal Trade Commission has issued regulations to control "cents-off" promotions, "introductory offer" and "economy size" for nonfood consumer products. Food & Drug Administration is re-writing its own proposed new regulations to make them compatible with FTC's. The FDA regulations, which are expected to be ready by the end of the year, will apply the same kind of controls to food, drugs and cosmetics. The regulations (the result of about three years of investigations, hearings and studies) are to make sure that consumers really do get the savings promised by "cents off," "introductory offer" and "economy size."

FTC's regulations will go into effect on three separate dates. Major provisions of regulations to go into effect on Dec. 31, 1971, are the following:

1. Introductory offers must be limited to a new product or one that has been changed in a functionally significant and substantial respect, or limited to a product that is being introduced into an area for the first time. An introductory offer, always at a retail price lower than usual, must not be made for more than six months.
2. "Economy size" promotions may not be made unless the packager or labeler offers only one-size package with a label designating it as a money-saving size, such as "economy," "bargain" or "budget" size, and also offers at the same time the same brand of the product in at least one smaller size. The "economy-size" package must sell at a substantially reduced price per unit of weight, volume, measure or count; specifically, the economy size must save the consumer at least 5% of the actual unit price of any other packages of the same brand for sale at the same time.
3. In conjunction with the phrase "introductory offer," the packager must clearly and conspicuously imprint on the label the phrase "— cents-off the after introductory offer price."
4. "Introductory offer" selling price actually must be reduced by at least the amount of the stated reduction from the price scheduled after the "introductory offer."

Regulations to go into effect on Jan. 2, 1972, concerning "introductory offer" and "cents-off" include the following provisions:

1. In a particular area, the packager or labeler (a) cannot make more than three "cents-off" promotions of any single-size product within a 12-month period; (b) must allow at least 30 days to lapse between such promotions of any particular product; (c) cannot sell any single size labeled as "cents-off" for more than six months within any 12-month period.
2. "Cents-off" sales cannot account for more than 50% of the packager's or labeler's total sales of any single size product during any 12-month period.
3. The packager or labeler must supply the retailer with a sign, placard or shelf marker for the retailer to use to clearly disclose his "regular price." The sign or marker must be placed close to the product with "cents-off."

The major provision of the regulation to go into effect on June 30, 1972, concerns the method of informing consumers that the price of a product is "cents-off" the regular price:

The package or label must contain a statement clearly showing that the price marked by the retailer represents the savings in the amount of the "cents-off" the retailer's regular price—a statement such as "Price marked is 10¢ off the regular price." In addition, the package or label may have in the usual price spot a form showing the regular price, the number of "cents-off" and the reduced price to be paid by the consumer. For example: "Regular price 67¢, 8¢ off, You pay 59¢."

More toys banned as hazardous

Food & Drug Administration's Bureau of Product Safety has banned the sale of about 50 more toys for being hazardous to children. Since December 1970 the bureau has banned about 200 hazardous toys [for complete list of toys banned December 1970 through September 1971, see CONSUMER NEWS: Nov. 1, 1971]. In almost all cases, manufacturers have stopped making the toys, or they have modified the toys to make them safe.

The following list names toys banned during the period Sept. 16 through Oct. 19. The list comprises the generic or brand name of each toy, date of the ban in parenthesis, reason for ban and manufacturer or distributor:

Squeeze Toys #4000 & 4400 (9-29-71) squeakers remove. Aim Plastics New Rochelle, N.Y.	Stuffed grey mouse (about 10-19-71) sharp wire in tail. Famiss Corp. Brooklyn, N.Y.	Musical ball—pink & white—(9-22-71) sharp prongs. Mego Corp. New York, N.Y.
Party balloons #A24 (9-27-71) noisemaker removes. Atlantic Stationery Corp. Jamaica, N.Y.	Suarez squeeze toys (about 10-21-71) squeaker removes. Suarez Toy House Rio Piedras, P.R.	Chime roly toy #8200 (9-22-71) sharp prongs. F.W. Woolworth Co. New York, N.Y.
Squeeze telephone #2544 (10-5-71) squeaker removes. West Brothers of De Ridder De Ridder, La.	Music Mate & Musical Playmate pull toys (10-12-71) small objects. Sankyo Seiki Inc. New York, N.Y.	Mouse #I-508 (10-7-71) sharp wires in hands or feet. Stuffed donkey #6303 (10-7-71) sharp wires in ears. Lady Bug #T-215 (10-7-71) sharp wires in ears. Cut Rate Linoleum Store New Orleans, La.
Soft toys with music box & squeaker #00910 842, 00911 766, 00916 785/938 (10-12-71) squeakers remove. Eden Toys Inc. Jersey City, N.J.	Pop Pop iron #F-102 (about 10-19-71) small objects. Plymouth Wholesale Corp. New York, N.Y.	Clown #S-209 (10-7-71) sharp wires in legs. Musical fashion doll #5337 (10-7-71) straight pins. Ralph Pressner Carnival Mart Metairie, La.
Clothes pin squeeze toy #183 & Squeeze-Me toy #2602 (about 10-19-71) squeakers remove. Childhood Interests Roselle Park, N.J.	Stuffed white dogs (about 10-19-71) sharp eyes. R&R Toy Mfg. Co. Pen Argyl, Pa.	Spinning top—red & blue color—(about 10-19-71) sharp spike in base. Melody zylophone (about 10-19-71) keys have sharp edges. Gamble's Import Corp. Burbank, Calif.
Doll with squeaker in mouth #1770 (about 10-19-71) squeaker removes. Distributors Imports Co. New Orleans, La.	Toy top—made in Germany—(about 10-19-71) small objects & sharp edges & rod. Frankonia Products New York, N.Y.	Candy flutes #7335 (about 10-19-71) tone modulator shaft is sharp. Nodel & Sons New York, N.Y.
Squeaker toy #435—cow figure (about 10-19-71) squeaker removes. Suction rattle toys #660P birds & trains (9-27-71) small objects. Stahlwood Toy Mfg. Co. Inc. New York, N.Y.	Grandpa's car #31519 (9-12-71) sharp & small objects. Lord & Taylor New York, N.Y.	Flocked bull #39/412 (about 10-19-71) straight pin. Toy mouse #6/26 K (about 10-19-71) sharp wires in ears & sharp eyes. Oriental Trading Co. Metairie, La.
Elephant squeeze toys—old design (about 10-19-71) squeaker removes. Eastern Molded Products Clearfield, Pa.	Stuffed swan with flowers (about 10-19-71) sharp wires in flowers. Arrow Fur Co. New York, N.Y.	Merry-Go-Round musical ball (about 10-19-71) sharp edges of plastic & sharp prongs. S&M Co. Minneapolis, Minn.
Balloon-Squawkers Blowouts (about 10-19-71) noisemaker removes. Cardel Mfg. Co. Brooklyn, N.Y.	Doll #8080—old design—(10-18-71) sharp wires in neck. Jolly Toy Inc. New York, N.Y.	
Squeaky Lollipops (10-18-71) squeaker removes. Altray Co. Inc. Bronx, N.Y.	Mechanical merry-go-round (about 10-19-71) sharp metal rod & small objects. I. B. Wolfset & Co. New York, N.Y.	

If you believe a toy is hazardous and should not be on the market, you may want to notify FDA's Toy Review Committee, describing the toy, its name (if any), model number (if any) and name and address of manufacturer (or distributor) and name of store stocking the toy. Send your comments to Toy Review Committee, Bureau of Product Safety, Food & Drug Administration, 5401 Westbard Ave., Bethesda, Md. 20016.

Smoking regulations on interstate buses

Interstate Commerce Commission has ruled that effective Jan. 6, 1972, interstate bus lines, which permit smoking of cigars, cigarettes or pipes, shall provide a smoking section in the rear of the bus. The number of seats in the smoking section cannot exceed 20% of the bus' seating capacity. Smoking will not be permitted in any other section of the bus.

Agriculture Dept. reveals new grade standards

Consumers lost, 6 to 3, in influencing Agriculture Dept. on the question of revising grade standards for veal and calf (see CONSUMER NEWS: September 1971). Three consumers wrote the department saying it was not in the best interest of consumers to reduce the requirements for prime, choice, good & standard grades for veal and calf. But 6 other comments (from Western States Meat Packers Association, National Livestock Producers Association, a state agriculture department, 2 meat & animal scientists and a producer of "formula-milk"-fed calves) favored the changes.

The new standards, which will go into effect on Jan. 1, 1972, will reduce the requirements for all grades of veal and calf in general by one grade. This means that after Dec. 31, what has been "choice" veal or calf will be "prime" veal or calf and what has been "good" will be "choice." The new "standard" grade will include all veal or calf that until Jan. 1 will be graded "utility."

Agriculture Dept. believes its changes in grade standards are in the interest of consumers because only a small percentage of veal and calf qualifies for the high grades of prime and choice, which are the grades consumers prefer. By revising the standards, more veal and calf will qualify for prime and choice. The department added: "if the grades for veal and calf are to make a contribution to the efficient marketing of veal and calf, it is necessary that the standards be revised. . . ."

• Cottage cheese—new standards

Jan. 18 is deadline for filing comments on a proposal suggested by Milk Industry Foundation, N.Y. State Dept. of Agriculture & Markets and Ohio Dept. of Agriculture that Food & Drug Administration establish new names and standards for identifying various types of cottage cheese. The petitioners' reasons for proposing new standards are (1) almost all consumers associate the name "cottage cheese" with the creamed product rather than the dry-curd product—the change in names would eliminate confusion; (2) consumers want the option of purchasing cottage cheese with lowfat content; (3) the statement of fat content on labels will facilitate consumer selection of cottage-cheese products. (For details, see *Federal Register*: Nov. 19, 1971, page 22068.)

1. "Creamed cottage cheese" would be discontinued as a name;
2. "Cottage cheese" would be the new name for "cream cottage cheese" and would be identified as a soft uncured cheese prepared by mixing cottage cheese dry curd with a creaming mixture; the milkfat content would not be less than 4%, and the finished product would not contain more than 80% moisture;
3. "Cottage cheese dry curd (or dry-curd cottage cheese)" would be the new name for "cottage cheese" and would be identified as soft uncured cheese containing less than 0.5% milkfat and not more than 80% moisture;
4. "Lowfat cottage cheese," with a higher allowable milkfat content than "cottage cheese dry curd" but prepared like the new regular "cottage cheese" (No. 2 described above), would be identified as containing from 0.5% to 2% milkfat and not more than 82.5% moisture.

• Cottage cheese—optional ingredients

Jan. 23 is deadline for filing comments on the petition by Stein, Hall & Co. Inc. that Food & Drug Administration permit defoaming agents to be used as optional ingredients in reasonable quantities in the creaming mixture for creamed cottage cheese (which will be renamed "cottage cheese" if the above proposed new standards are adopted). The petition says safe and suitable defoaming agents would eliminate the formation of foam in preparing the mixture and during movement of creamed cottage cheese before and during packaging. The petition says: "The presence of foam in the container creates difficulty in obtaining the correct fill [of the container]; it also detracts from the appearance of the finished product." Any defoaming agent would have to be listed on the creamed cottage cheese label; however, the name "vegetable gum" could be used rather than specifying carob (locust) bean gum, guar gum, gum karaya & gum tragacanth. (For details, see *Federal Register*: Nov. 24, 1971, page 22310.)

Send comments on both proposals to Hearing Clerk, Health, Education & Welfare Dept., Room 6-88, 5600 Fishers Lane, Rockville, Md. 20852.

Appliance panel aids consumers

Virginia Knauer, Special Assistant to the President for Consumer Affairs, has asked the founders of Major Appliance Consumer Action Panel why they are so bashful. "Why not give American consumers a present this season—tell them that MACAP exists to help consumers and how it does help," Mrs. Knauer said in letters this month to Association of Home Appliance Manufacturers, Gas Appliance Manufacturers Association and American Retail Federation. The three trade associations founded MACAP about two years ago to resolve difficulties between consumers and manufacturers of freezers, refrigerators, stoves, ovens, washers, dryers, dishwashers and air conditioners.

Mrs. Knauer's letters stated: "MACAP is an important organization capable of making authoritative recommendations toward equitable resolutions of problems arising between the consumer and the home-appliance industry. The panel has been open-handed and fair in its dealings with the consumer and the industry." MACAP wants to help more consumers, she said, but it cannot go out to find consumers with appliance problems. She urged the associations to develop campaigns to inform consumers of MACAP's existence and to encourage appliance manufacturers and dealers to cooperate with customers.

If you have an appliance problem, such as repair service, you may contact MACAP directly. However, it is usually better to discuss your complaint first with the dealer from whom you bought the appliance. MACAP's address is 20 N. Wacker Dr., Chicago, Ill. 60606. Telephone 312-236-3165.

New Federal publications

The following publications are available from Consumer Product Information, Washington, D.C. 20407. When ordering, please include stock number and make checks or money orders payable to Consumer Product Information.

Paint & Painting: Selection, Preparation, Application, published by General Services Administration; (No. 2200-0066) 60¢.

Automobile Batteries: Their Selection and Care, published by General Services Administration; (No. 2200-0067) 40¢.

Fire Extinguishers: The ABC's and the One, Two, Three of Selection, published by General Services Administration; (No. 2200-0068) 40¢.

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